

# HOUSE JOURNAL

THIRTY-FIFTH LEGISLATURE, FOURTH CALLED SESSION

## PROCEEDINGS.

### FIRST DAY.

Hall of the House of Representatives,  
Austin, Texas,

Tuesday, February 26, 1918.

In obedience to the proclamation of His Excellency, W. P. Hobby, Governor of Texas, convening the Thirty-fifth Legislature to meet in Special Session at Austin, the seat of government, this the 26th day of February, A. D. 1918, the members of the House of Representatives assembled in the Representative Hall, and at 10 o'clock a. m. the House was called to order by Hon. F. O. Fuller, Speaker.

Speaker Fuller then directed the Clerk to call the roll.

The roll was called and the following members were present:

Beard.	Holland.
Beasley.	Johnson.
Bell.	Jones.
Bertram.	Laas.
Blackburn.	Lange.
Blackmon.	Lanier.
Bledsoe.	Lee.
Brown.	Lindemann.
Bryan.	McComb.
Burton of Rusk.	McCoy.
Burton of Tarrant.	McDowra.
Butler.	McFarland.
Cadenhead.	McMillin.
Carlock.	Mendell.
Clark.	Metcalfe.
Cope.	Miller of Austin.
Cox of Ellis.	Miller of Dallas.
Davis of Dallas.	Monday.
Davis	Moore.
of Van Zandt.	Morris.
De Bogory.	Murrell.
Denton.	Neill.
Dudley.	Nordhaus.
Dunnam.	O'Banion.
Estes.	Osborne.
Fly.	Peyton.
Greenwood.	Pillow.
Haidusek.	Poage.
Hardey.	Raiden.
Hill.	Reeves.
Holaday.	Roemer.

Sackett.	Thomason
Sallas.	of El Paso.
Sentell.	Thomason
Schlesinger.	of Nacogdoches.
Schlosshan.	Thompson
Seawright.	of Hunt.
Smith of Bastrop.	Tillotson.
Smith of Hopkins.	Tilson.
Smith of Scurry.	Tinner.
Spencer of Wise.	Upchurch.
Spradley.	Veatch.
Stewart.	Wahrmund.
Swope.	White.
Taylor.	Williford.
Terrell.	Woods.
	Yantis.

### Absent.

Bagby.	Richards.
Bland.	Sholars.
Canales.	Strayhorn.
Cates.	Traylor.
Davis of Grimes.	Valentine.
Fairchild.	Williams
Harris.	of Brazoria.
Lacey.	Williams
Pope.	of McLennan.

### Absent—Excused.

Baker.	O'Brien.
Beason.	Parks.
Bedell.	Robertson.
Crudgington.	Templeton.
Dodd.	Thomas.
Hudspeth.	Thompson
Laney.	of Red River.
Lowe.	Walker.
Meador.	Wilson.

The Speaker announced a quorum present.

Prayer was offered by Dr. W. A. Hamlett, Pastor of the First Baptist Church of Austin.

### PROCLAMATION BY THE GOVERNOR.

The Speaker then handed to the Clerk and had read to the House the following proclamation by the Governor:

Proclamation by the Governor of the State of Texas.

I, W. P. Hobby, Governor of the State of Texas, by virtue of the authority vested in me by the Constitution of the State of Texas in Article 4, Section 8, do hereby call an extraordinary session of the Legislature to convene in the city of Austin, Texas, at 10 o'clock a. m., Tuesday, February 26, A. D. 1918, for the following purposes, to-wit:

1. To enact a law to prohibit the sale of spirituous, vinous or malt liquors, or medicated bitters, capable of producing intoxication, by any person in the State of Texas, within ten miles of any camp where soldiers of the United States army, or navy, or marines, are being trained for military service in time of war, and to make a single sale a violation, punishable as a felony.

2. To enact a law to prohibit the sale of spirituous, vinous or malt liquors, or medicated bitters, capable of producing intoxication, by any person in the State of Texas who has not lawfully procured a license to engage in such business, and to make a single sale a violation of the law, to be punishable as a felony.

3. To enact a law to prohibit the sale of any spirituous, vinous or malt liquors, or medicated bitters, capable of producing intoxication, to any person engaged, employed or enlisted in the military or naval service of the United States and in uniform, and to make such sale unlawful and to define each sale as an offense and to affix the punishment for violation thereof as a felony.

4. To enact a law to prohibit any person from directly or indirectly purchasing for, procuring for or giving to any person employed, enlisted or engaged in the military forces of the United States, whether in uniform or not, and from directly or indirectly delivering to any person employed, enlisted or engaged in the military or naval forces of the United States, whether in uniform or not at the time of such purchase for, procurement, or gift, or delivery to, of any spirituous, vinous or malt liquors, or medicated bitters, capable of producing intoxication, and providing that each such act shall be an offense, and to provide punishment thereof as a felony.

5. To enact a law to prohibit any person from soliciting any person en-

gaged, employed or enlisted in the military or naval service of the United States, to meet, make an appointment with, or otherwise come in contact with any lewd woman, or to have unlawful relation with any immoral woman, and to make such solicitation unlawful and the punishment thereof a felony.

6. To enact such legislation as in the judgment of the Legislature may be necessary and proper to meet the unusual conditions that have arisen on account of the severe drouth recently prevailing in this State, providing relief for the citizens in drouth stricken sections, especially in those sections where the food and feed crops have been failures during the past season, and rendering available for immediate use such credits as may be extended by the United States through its designated depositories.

7. To enact legislation making effective the amendment to the Constitution of the State, adopted by the people in August, 1917, which is Article 16, Section 59 of the Constitution, providing for the conservation of the natural resources of the State.

8. To enact an adequate and uniform depository law for the State of Texas.

9. To consider and act upon such other matters of vital importance as may be presented by the Governor pursuant to Section 40, Article 3 of the Constitution of Texas.

In testimony whereof, I have hereunto signed my name officially, and caused to be impressed hereon the Seal of State, at the city of Austin, Texas, this 19th day of February, A. D. 1918.

(Seal)

W. P. HOBBY,  
Governor of Texas.

By the Governor,  
GEO. F. HOWARD,  
Secretary of State.

OATH OF OFFICE ADMINISTERED  
TO NEW MEMBERS.

Mr. Murrell offered the following resolution:

Whereas, The new members elected to this House are now at the bar of the House, and

Whereas, It is necessary that they be seated as members of this House as soon as possible; therefore, be it

Resolved, That they be now sworn in.

Signed—Murrell, Neill.

The resolution was read second time and was adopted.

The Speaker then handed to the Clerk and had read to the House the following list of members-elect of the House of Representatives of the Thirty-fifth Legislature, who had been elected to fill vacancies, as follows:

Franklin P. Davis, 15th District; succeeded Stanley Beard.

F. J. McCord, 126th District; succeeded Myron G. Blalock.

A. H. King, 102nd District; succeeded Bruce W. Bryant.

Sam C. Lackey, 81st District; succeeded A. C. Hartman.

C. R. Stephens, 111th District; succeeded Wallace E. Hawkins.

John M. Mathis, 69th District; succeeded S. D. W. Low.

Sam E. Johnson, 87th District; succeeded Thos. J. Martin.

B. F. Vaughan, 40th District; succeeded Joseph Nichols.

Howard Bennette, 21st District; succeeded W. E. Neeley.

John C. Rogers, 8th District; succeeded Geo. E. B. Peddy.

J. H. Sneed, 41st District; succeeded Woodville Rogers.

Thos. M. Cox, 75th District; succeeded J. C. Russell.

C. T. Bass, 88th District; succeeded Louis H. Scholl.

John J. Ford, 121st District; succeeded Edwin R. Spencer.

E. A. Atlee, 79th District; succeeded Walter F. Woodul.

The Speaker then appointed Mr. Neill, Mr. Murrell and Mr. Miller of Austin as a committee to escort the new members-elect to the Speaker's stand.

The committee having performed their duty, the constitutional oath of office was administered to the new members-elect by the Speaker.

Speaker Fuller then introduced the new members, respectively, in the order stated above to the House, who respectively addressed the House.

#### HOUSE NOTIFIED.

A committee from the Senate appeared at the bar of the House and, being duly announced, notified the House that the Senate is organized and ready for the transaction of business.

#### PROVIDING FOR EMPLOYES OF THE HOUSE.

Mr. Cope offered the following resolution:

Resolved, That the Speaker of the House shall appoint the following em-

ployes for the Fourth Called Session of the Thirty-fifth Legislature to serve for such compensation as may hereafter be provided:

One private secretary to the Speaker, at \$5.00 a day.

One stenographer for the Speaker; at \$5.00 a day.

One porter for the Speaker, at \$2.00 a day.

One page for the Speaker, at \$2.00 a day.

Two general clerks at \$5.00 a day.

One clerk to the Appropriation Committee, who shall also act as clerk to the Contingent Expense Committee, at \$5.00 a day.

One clerk to the Sergeant-at-Arms, at \$5.00 a day.

One porter to the Sergeant-at-Arms, at \$2.50 a day.

One page to the Sergeant-at-Arms, at \$2.50 a day.

One Assistant Sergeant-at-Arms for the gallery at \$5.00 a day.

One night watchman, at \$5.00 a day.

One assistant to the Journal Clerk, at \$5.00 a day.

Twenty expert stenographers, at \$5.00 a day.

One warrant clerk, at \$5.00 a day.

Each of said stenographers shall serve as clerk to committees when so directed by the Speaker.

Twenty pages, at \$2.00 a day.

One messenger to carry papers to the Confederate Home, at \$2.50 a day.

One elevator man, who shall receive \$4.00 a day.

One man to keep the library open at night, who shall receive \$4.00 a day.

All stenographers shall be allowed \$5.00 a day, and \$4.00 per month for typewriter and not to exceed \$3.00 per month for typewriter ribbons, which shall be secured on order of the clerk of the Committee on Contingent Expenses.

Ten porters, who shall perform such duties as are usually required of porters, and who shall be under the direction of the Speaker and Sergeant-at-Arms, at \$2.00 a day.

Be it further provided, That it shall be the duty of the Speaker, and he is hereby empowered to dispense with the services of any employe when in his judgment said employe is not further needed or for misconduct of any employe, and further, he shall have the power to appoint extra help when in his judgment it is needed.

The duties of employes as hereinbefore mentioned, shall be such as are usually required of the employes of pre-

vious Legislatures, and it shall be the duty of stenographers and clerks to assist the members of the House in their correspondence, preparation of bills, etc.

Any of the employes may be excused by the Speaker for cause deemed by him sufficient.

The salary of all employes shall begin when they are instructed to begin work by the Speaker.

Signed—Cope, Mendell.

The resolution was read second time.

Mr. O'Banion offered the following amendment to the resolution:

Amend the resolution by striking out the following: "One man to keep the Library open at night at \$4 per day."

The amendment was adopted.

Mr. Cope offered the following amendment to the resolution:

Amend by striking out "\$5.00" and insert in lieu thereof "\$7.50" for clerk of Appropriation Committee and Contingent Expense Committee.

Mr. Spradley moved the previous question on the amendment and the resolution, and the main question was ordered.

Question first recurring on the amendment, it was adopted.

The resolution as amended was then adopted.

Mr. Spradley moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

#### TO NOTIFY THE GOVERNOR AND SENATE.

Mr. Cope offered the following resolution:

Resolved, That the Speaker appoint two committees of three each, one to notify the Governor and one to notify the Senate that the House has completed its organization and is now ready for the transaction of business.

The resolution was read second time and was adopted.

In accordance with above action, the Speaker announced the appointment of the following committees:

To notify the Governor: Mr. Monday, Mr. Mendell and Mr. Poage.

To notify the Senate: Mr. Reeves, Mr. Holland and Mr. Upchurch.

#### PROVIDING POSTAGE FOR MEMBERS.

Mr. Smith of Scurry offered the following resolution:

Be it resolved, That each member and Chief Clerk and Sergeant-at-Arms be allowed \$15 for stamps, to be paid out of the contingent fund of the House.

The resolution was read second time.

Mr. Dudley moved to table the resolution and the motion to table was lost.

The resolution was adopted.

Mr. Spradley moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

#### PROVIDING NEWSPAPERS FOR MEMBERS.

Mr. Holland offered the following resolution:

Resolved, That each member shall be allowed to subscribe for three daily newspapers, of his own selection, to be paid out of the contingent expense fund.

Signed—Holland, Bertram, Smith of Scurry, Carlock, Williford.

The resolution was read second time.

Mr. Dudley moved to table the resolution.

Yeas and nays were demanded and the motion to table was lost by the following vote:

Yeas—50.

Bass	McCord.
Beard.	McCoy.
Bell.	Murrell.
Blackmon.	O'Banion.
Brown.	Osborne.
Bryan.	Peyton.
Burton of Rusk.	Pillow.
Cadenhead.	Pope.
Clark.	Raiden.
Cox of Bee.	Rogers.
Cox of Ellis.	Sallas.
Davis of Dallas.	Seawright.
Davis of Harris.	Smith of Hopkins.
De Bogory.	Sneed.
Dudley.	Stephens.
Fly.	Stewart.
Ford.	Taylor.
Haidusek.	Terrell.
Hardey.	Thomason.
Holaday.	of El Paso.
King.	Tillotson.
Laas.	Vaughan.
Lackey.	Veatch.
Lange.	Wahrmund.
Lanier.	Woods.
Lee.	

Nays—52.

Beasley.	Butler.
Bennette.	Carlock.
Bertram.	Cope.
Blackburn.	Davis.
Bledsoe.	of Van Zandt.
Burton of Tarrant.	Dunnam.



Estes.	Reeves.
Greenwood.	Roemer.
Hill.	Sackett.
Holland.	Sentell.
Johnson of Blanco.	Schlesinger.
Johnson of Ellis.	Schlosshan.
Jones.	Smith of Bastrop.
McComb.	Smith of Scurry.
McDowra.	Spencer.
McFarland.	Spradley.
McMillin.	Swope.
Mathis.	Thomason
Mendell.	of Nacogdoches.
Metcalfe.	Thompson
Miller of Austin.	of Hunt.
Miller of Dallas.	Tilson.
Monday.	Tinner.
Moore.	Upchurch.
Morris.	White.
Neill.	Williford.
Nordhaus.	Yantis.
Poage.	

Present—Not Voting.

Atlee.	Denton.
	Absent.
Bagby.	O'Brien.
Baker.	Parks.
Beason.	Richards.
Bedell.	Robertson.
Bland.	Sholars.
Canales.	Strayhorn.
Cates.	Templeton.
Crudgington.	Thomas.
Davis of Grimes.	Thompson
Dodd.	of Red River.
Fairchild.	Traylor.
Harris.	Valentine.
Hudspeth.	Walker.
Lacey.	Williams
Laney.	of Brazoria.
Lindemann.	Williams
Lowe.	of McLennan.
Meador.	Wilson.

Mr. Lee offered the following amendment to the resolution:

Amend the resolution by making it "two" instead of "three."

Mr. Spradley moved the previous question on the amendment and the resolution, and the main question was ordered.

Question first recurring on the amendment, it was lost.

The resolution was adopted.

Mr. Spradley moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

#### GOVERNOR NOTIFIED.

The committee appointed to notify the Governor that the House is organized and ready for the transaction of business

appeared at the bar of the House and, being duly announced, reported that they had performed the duty assigned them.

#### SENATE NOTIFIED.

The committee appointed to notify the Senate that the House is organized and ready for the transaction of business appeared at the bar of the House and, being duly announced, reported that they had performed the duty assigned them.

#### MESSAGE FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House:

Governor's Office,  
Austin, Texas, February 26, 1918.

To the Thirty-fifth Legislature of Texas  
in Fourth Called Session:

It is respectfully recommended that laws be passed making it more difficult for soldiers in the camps of Texas to obtain liquor and to safeguard their surroundings from the evils and diseases growing out of commercialized vice; making operative the amendment to Article 16, Section 59, of the Constitution of the State, adopted by the people in August, 1917, providing for conservation of the natural resources of the State; making an adequate and uniform and profitable system of depositing the funds of the State of Texas.

The Federal government has the task of raising an army properly trained and equipped for winning a war that involves not only the life and existence of our country but involves the existence of freedom and democracy everywhere in the world. To make the task of the Federal government easier in this respect is a service the State should perform in the same spirit and with the same loyalty and with the same courage that her gallant young men offer to lay their lives upon their country's altar. Sacrifice and service should be the only thought of every State in this Union, and should be the supreme guide for soldier and civilian alike in this fateful crisis causing Texas in usefulness and helpfulness to lead all the rest. The call is made upon our State by the chief officer charged with the responsibility of raising this army to adopt those measures which will prove effective in removing from camp

environment liquor and all influences which interfere with the training activities of the army. Texas should answer this call through the voice of her law-making authority, and to that end I have submitted to you in official proclamation the suggestion of enactments which in my judgment will be effective.

I gave careful consideration for several days to various plans offered by those who are interested in the welfare of our soldiers, reaching the conclusion that these enactments will stop the sale of liquor and banish the procurer and the peddler from even the approaches to army camps in Texas.

I recommend that it be made a felony to sell liquor of any kind except for scientific, sacramental and medicinal purposes to any person within ten miles of any military camp, station, fort, post, cantonment, training or mobilization place for soldiers and sailors in the service of the United States, or where soldiers or sailors are being trained for this purpose. It is my judgment that with the source of supply thus far removed the carrier or the peddler can be more easily detected and the present constabulary of our State and counties and cities is sufficient to police the fewer roads that are naturally accessible when it is necessary to go ten miles through our larger cities than the half-mile now prescribed by Federal authority and into which many of the streets of these cities enter.

I recommend that it be made a felony for any person to sell liquor in the State, who is not duly licensed for that purpose. This reaches the man who buys the liquor from the dealer and goes upon the street corner or the back alleys or the cantonment line, and peddles it out to a soldier for a consideration.

I recommend that it be made a felony for any man anywhere under any circumstances to sell any liquor to any man in uniform, who is in the military or naval service of the United States. This reaches every person, the dealer with a license, and the "bootlegger" without a license. This should be as broad and as sweeping as the statute can be made and apply indiscriminately to every person.

I recommend that it be made a felony for any person to directly or indirectly buy for, procure for, or give or directly or indirectly deliver to any person in the military or naval service of the United States, while a state of

war exists, any character of intoxicating liquors, so that if the seller knowingly takes money from the hanger-on or law-breaker on the street, who takes the soldier's money and goes into a place of business to procure liquor, such seller, as well as the person passing the money to the seller and the liquor to the soldier, shall be guilty of a felony. This is in harmony with the regulations of Federal authorities, but becomes more effective when violators can be prosecuted under the State law.

I recommend that persons soliciting soldiers to meet lewd women be punished as a felony, thus reaching that class of people who constitute the avenue of communication between the lewd women who have come into the vicinity of these cantonments and into the towns and cities and counties where they are located. The very touch of this class of vice peddlers, as well as their wares, is worse than war and pestilence and famine, and the design of plying their vocation among the soldiers of their country should be prohibited by severe penalty.

I recommend that violations of these laws be given preferred consideration on the dockets of our courts and that the statutes so provide.

The venue of all these cases will, of course, be laid in the county where the offense is committed. The good people of those counties are so deeply in earnest in protecting these soldier boys and will be so deeply in earnest in upholding these laws, if they are passed, that we may depend upon them for the most rigid and unrelenting enforcement of every statute suggested.

It has been suggested that the President of the United States is authorized to make such regulations governing the prohibition of alcoholic liquors in or near military camps as he may deem advisable, and therefore has the power to declare a zone for the protection of soldiers. In order to declare a zone which includes an entire city or a considerable portion of it the Federal authorities would necessarily assume control, thus subordinating the local civil authorities to the military and virtually putting martial law into effect. To create a zone in this fashion of sufficient extent to meet the requirements would be undesirable since it would disturb and conflict with the local authorities and prove embarrassing to the Federal government. It is self-evident that to accomplish the best results such a

zone must be established by the State government and the law enforced by local officers.

I am not unmindful of the fact that as a means of accomplishing the results here sought many people advocate statutory Statewide prohibition, with more or less confidence in its ultimate success. I do not assume for a moment to pass judgment upon the constitutionality of such a law, yet all admit that eminent lawyers have expressed the opinion that a law along this line is in conflict with the Constitution of the State.

The zone law, however, is deemed to be in the nature of a regulatory rather than a prohibitory act, and involves merely the exercise of that police power with which the State is fully clothed to deal with the barter, sale and exchange of liquor. In other words, it is indicated that statutory prohibition would offer the possibility of vigorous contest in the courts while a zone law would not be open to successful attack through court procedure.

The need of the hour is immediate for efficient suppression of an admitted evil. The measure that is strong because of its certainty is to be preferred over a measure that in reaching too far may incur the risk of failing entirely.

I realize that an act providing for a ten-mile zone will put prohibition into effect in most of that portion of Texas where it has not been adopted by the people of the localities. This consideration, however, is of no importance compared to that of providing the soldiers at these camps with the surroundings desired by their chief commander, the Secretary of War, with surroundings that are conducive to a more potent and more efficient army, and with those surroundings that all of the right-thinking people of Texas will want them to have in the face of such a request.

The highest duty the Legislature of Texas and the Governor of Texas owe to the people of Texas, to the fathers and mothers of these soldier boys far from home and in new and untried spheres of life, the highest duty to our common country and to the flower of our manhood so freely offering their lives if need be, in our country's defense, is to exercise the powers of the trust they hold, in protection of the morals and the health of these soldiers in our midst and to help them be what they so ambitiously and patriotically desire to be, clean, morally and physically, men and soldiers who are good and strong,

physically able and skilfully trained, to measure lances with the most cruel and most vicious foe that has ever darkened the door of civilization or stayed the march of freedom's van.

In my opinion the laws which I have mentioned will, if adopted by the Legislature in proper form, effectually exterminate the evils at which they are aimed and to the accomplishment of these purposes I invite your most earnest consideration.

It is important to enact legislation intended to bring total or partial relief to the citizens in that vast area of Texas comprising about 150 counties and which suffers affliction from the severe drouth of 1917. At my instance and as a result of a meeting called by me of the officers of agricultural and industrial organizations of the State, a committee composed of Hon. Frank Kell of Wichita Falls and Hon. W. H. Fuqua of Amarillo made a trip to Washington and petitioned the Secretary of the Treasury to deposit government funds in the banks of that section to be loaned out to farmers and cattlemen on the most liberal terms that may be allowed. An arrangement with the Treasury Department of the United States along that line is now being worked out through the assistance of Hon. W. F. Ramsey, Federal Reserve Agent for the Eleventh Regional Bank district. I have submitted the subject, hoping that the representatives from the area more vitally concerned and the Legislature in its wisdom may evolve a plan that is helpful and feasible.

The people of Texas in August, 1917, adopted an amendment to the Constitution of the State authorizing the formation of one or more counties or subdivisions thereof into districts for the purpose of reclaiming lands that are rendered useless for cultivation because of overflow and swamp conditions. Some of these lands are the most fertile in the State and can be made the most productive if rescued from the blight that now overtakes them. It is important to the material progress of Texas in time of peace and it is important to the end of increasing the productive capacity of the State in time of war that legislation be enacted now authorizing the establishment of these districts and making it possible to impose the necessary tax, sell securities and set on foot the legal machinery which will put into effect this addition to our organic law.

The fact that under the present sys-

tem of depositing State funds there is at times a large amount lying in idleness in the vaults of the State Treasury, and the fact that a better denmed method of clearing all remittances to the various departments of the State government should be provided, make it expedient to enact laws which will remedy these conditions. The amount of funds which the State may put out at interest should not be limited and sufficient elasticity should be given to a board of duly authorized officials of the State to deposit the public money in such manner as will bring the State the most profit and the most benefits, and at the same time better serve the people by keeping such funds available for the ordinary channels of business. The law should provide, too, for the strongest safeguards in depositing the money of the State.

Supplementary to this message, I am submitting communications bearing upon the subjects presented for the information of the Legislature.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

(Copy of Western Union Telegram.)

Washington, D. C., February 9, 1918.

W. P. Hobby, State House, Austin, Texas:

In view of the special session which you have convened in Texas at this time it may be stated that owing to conditions now prevailing in Houston, Fort Worth and elsewhere the War Department will be deeply interested in any effective measures which will make it more difficult for soldiers in the camps of Texas to obtain liquor and which shall further safeguard their health from the diseases growing out of commercialized vice.

NEWTON D. BAKER,  
Secretary of War.

(Copy of Report.)

TEXAS STATE COUNCIL OF DEFENSE.

Wichita Falls, Texas, February 11, 1918.

Governor W. P. Hobby, Austin, Texas.

Dear Governor Hobby: I notified the members of your committee, which was appointed to go to Washington City and call upon the Comptroller of Currency for the purpose of trying to secure deposits in the drouth stricken counties, of

public funds. Our meeting was called for Monday, February 4, at Washington City.

Mr. W. H. Fuqua, of Amarillo, and myself were the only members of the committee who had the time to reach Washington City at that time.

In company with Hon. T. B. Love, Assistant Secretary of the Treasury, we called upon Comptroller Williams, and after discussing the matter with him in detail, he very cheerfully agreed to recommend to Secretary McAdoo that he place on deposit in the drouth stricken counties of Texas Government funds to the amount of \$10,000,000 to \$20,000,000 at any time and place that such funds may be needed under the usual Government regulations.

Both Comptroller Williams and Assistant Secretary Love heartily recommended to Secretary McAdoo that this be done. This appeal to Secretary McAdoo was also supported by an urgent appeal from Senator Morris Sheppard, who called upon Secretary McAdoo on February 5 in behalf of our request.

It is with much pleasure that your committee can report that the Secretary of the Treasury has announced his willingness to not only make Government deposits as needed, but also to aid the drouth stricken region of Texas in every possible way. Inasmuch as the Secretary of the Treasury is willing to aid our drouth stricken people, and the psychological effect that this information would have in that section, we believe it wise that you immediately give widespread publicity to this information throughout the affected counties.

We, your committee, desire to emphasize that we are greatly under obligation to Hon. John Skelton Williams, Hon. T. B. Love and Hon. Morris Sheppard for their assistance in this matter.

Yours truly,  
(Signed) FRANK KELL,  
Chairman.

(Copy of Letter.)

Treasury Department,  
State of Texas.

Austin, February 25, 1918.

Hon. W. P. Hobby, Governor, City.

Dear Sir: Referring to your message calling the Legislature in special session for the purpose, among other measures, of passing a depository law which will authorize the State Treasurer to keep all surplus funds of the State out on interest at all times, permit me to sug-



gest that you also recommend in this bill, or in a separate bill, that all State officers who collect State funds shall make their deposits direct into the State Treasury as often as deemed necessary instead of depositing in the banks and making monthly settlements with the State, as is the present custom, and to provide for the State Treasurer to clear these funds as well as all other funds he receives through the banks, or, in other words, make the Treasury Department a clearing house for all State funds.

For your information, will state that during the entire year of 1917 our average daily balance of all funds in the State Treasury was, in round figures, five million dollars. We have sixteen State depositories at present which are allowed to have only \$50,000 each, or a total of \$800,000, leaving a daily balance of \$4,200,000 lying idle in our vaults. If this \$4,200,000 had been placed out on interest at the same average rate paid by the sixteen depositories, 4.27 per cent, it would have earned the sum of \$179,000. If we had only received the usual banking rate of 2 per cent it would have earned the sum of \$84,000, to say nothing of the benefit to the State at large.

However, I beg to state that our balances during the past year were unusually large, never before in the history of the State were they so great, and in all probability they will never again reach that average balance during an entire year, but, at certain periods during each year, we always have a large surplus that could be earning something instead of lying idle in the vaults.

Trusting that you will not think me presumptuous in addressing you as I have, I beg to remain,

Yours respectfully,  
(Signed) J. M. EDWARDS,  
State Treasurer.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Meador for this week, on motion of Mr. Spradley.

Mr. Thompson of Red River and Mr. Dodd indefinitely, on motion of Mr. Jones.

Mr. Wilson for this week, on motion of Mr. Sentell.

Mr. Lowe indefinitely, on motion of Mr. Miller of Austin.

Mr. Templeton indefinitely, on motion of Mr. Tillotson.

Mr. Bedell for today, on motion of Mr. Schlosshan.

Mr. Beason indefinitely, on motion of Mr. Holland.

Mr. O'Brien indefinitely, on motion of Mr. Stewart.

The following members were granted leaves of absence on account of sickness:

Mr. Hudspeth indefinitely, on motion of Mr. Bryan.

Mr. Baker indefinitely, on motion of Mr. Sackett.

Mr. Robertson indefinitely, on motion of Mr. Mendell.

Mr. Crudgington indefinitely, on motion of Mr. Tilson.

Mr. Parks and Mr. Laney indefinitely, on motion of Mr. Raiden.

Mr. Walker indefinitely, on motion of Mr. Carlock.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, February 26, 1918.

Hon. F. O. Fuller, Speaker of the House  
of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted Senate Concurrent Resolution No. 1, adopting Joint Rules of the Third Called Session as Joint Rules of the Fourth Called Session.

Respectfully,  
RALPH SOAPE,  
Secretary of the Senate.

#### HOUSE JOINT RESOLUTIONS ON FIRST READING.

The following House joint resolutions, introduced today, were laid before the House, read severally the first time and referred to the appropriate committees as follows:

By Mr. Cope, Mr. Bryan et al.:

H. J. R. No. 1, Ratifying an amendment to the Constitution of the United States of America, passed by the Sixty-fifth Congress of the United States of America at its Second Session, which amendment provides in substance that one year after the ratification of the amendment the manufacture, sale or transportation of intoxicating liquors within, the importation thereof, into, or the exportation thereof, from the United States and all territory subject to the jurisdiction thereof, for beverage purposes is prohibited; that Congress and the several States shall have concurrent power to enforce this article by appropriate legislation, and providing further that this article shall be inoperative unless it shall have been ratified as an amendment to the Constitution within

seven years from the date of submission to the States by Congress.

Referred to Committee on Liquor Traffic.

By Mr. Baker:

H. J. R. No. 2, Ratifying an amendment to the Constitution of the United States of America, passed by the Sixty-fifth Congress of the United States of America at its Second Session, which amendment provides in substance that one year after the ratification of the amendment the manufacture, sale or transportation thereof, into, or the exportation thereof, from the United States and all territory subject to the jurisdiction purposes is prohibited; that Congress and the several States shall have concurrent power to enforce this article by appropriate legislation, and providing further that this article shall be inoperative unless it shall have been ratified as an amendment to the Constitution within seven years from the date of submission to the States by Congress.

Referred to the Committee on Liquor Traffic.

By Mr. Templeton:

H. J. R. No. 3, Ratifying and adopting the constitutional amendment to the Federal Constitution providing for national prohibition.

Referred to the Committee on Liquor Traffic.

#### HOUSE BILLS ON FIRST READING.

The following House bills introduced today, were laid before the House, read severally first time and referred to the appropriate committees as follows:

By Mr. Mendell:

H. B. No. 1, A bill to be entitled "An Act appropriating \$60,000 to pay mileage and per diem of members and salaries of officers and employes of the Fourth Called Session of the Thirty-fifth Legislature, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Mendell:

H. B. No. 2, A bill to be entitled "An Act appropriating \$16,000 for contingent expenses of the Fourth Called Session of the Thirty-fifth Legislature, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Templeton:

H. B. No. 3, A bill to be entitled "An Act to prohibit the sale of spirituous, vinous, or malt liquors, or medicated bitters, capable of producing intoxication, nearer than ten miles to any camp or place where the United States are training soldiers; providing a penalty therefor and that same take immediate effect."

Referred to Committee on Liquor Traffic.

By Mr. Templeton:

H. B. No. 4, A bill to be entitled "An Act to prohibit the sale of intoxicating liquors in the State of Texas; providing a penalty for violation of the act; and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Templeton:

H. B. No. 5; A bill to be entitled "An Act prohibiting the sale of spirituous, vinous, or malt liquors, or medicated bitters, capable of producing intoxication, within this State, without first securing license therefor providing a penalty, and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Templeton:

H. B. No. 6, A bill to be entitled "An Act to prohibit the sale and giving of spirituous, vinous, or malt liquors or medicated bitters, capable of producing intoxication, to any person engaged, enlisted or employed in the military or naval force or service, whether in uniform or not and providing a penalty, and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Templeton:

H. B. No. 7, A bill to be entitled "An Act to make it unlawful for any person in this State to solicit the meeting of any person in the military or naval service of the United States with a lewd woman and providing a penalty therefor, and the emergency clause."

Referred to Committee on Criminal Jurisprudence.

#### RECESS.

On motion of Mr. Cope, the House, at 12 o'clock m., took recess to 3 o'clock p. m. today.

## AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by the Speaker.

## BILLS ORDERED NOT PRINTED.

On motion of Mr. Mendell, it was ordered that House bills Nos. 1 and 2 be not printed.

## RESOLUTION ORDERED NOT PRINTED.

On motion of Mr. Spencer, it was ordered that House Joint Resolution No. 1 be not printed.

## EMPLOYEES OF THE HOUSE.

The Speaker announced the appointment of the following employes of the House:

Stenographer to Speaker: Mrs. Kate Brunner.

Secretary to Speaker: Read Granberry.

Page to Speaker: Mike Davis.

Porter to Speaker: General Jackson.

One Warrant Clerk: Mrs. Ivy Bryant.

Clerk to Appropriations and Contingent Expense Committee: H. B. Savage.

Clerk to Sergeant-at-Arms: J. A. Palmer.

Page to Sergeant-at-Arms: Rudolph Kunefke.

Assistant Sergeant-at-Arms in the gallery: H. T. Dunnaway.

Night watchman: John Sims.

Assistant to Journal Clerk: Miss Jimmie Evans.

Porters: John Merriweather, George Nobles, M. T. Piper, Zeke Williams, Charlie Jackson, Jim Bedford, Arthur Evans, Willie Mitchell, Ed Brown, Wells White.

Porter to Sergeant-at-Arms: Joe Johnson.

Stenographers: Miss Ethel Gillett, Mrs. Ethel Robedeau, Miss Zoleta Swann, Miss Blanche Hillyer, Miss Pauline E. Allen, Miss Helen Crowell, Miss Adele Whittle, Miss Winnie Warren, Mrs. Erma D. Jones, Miss Katie Hill, Miss Lena Roberts, Mrs. Ethel Turner, Miss Virgie Turner, Miss Ella Mae Cameron, Miss Roonie Mathews, Miss Eda Evers, Miss Mozelle Newton, Miss Zelma Grimes, Miss Norine Watts, Miss Elizabeth Martin.

Elevator man: G. A. Proctor.

Messenger to carry papers to Confederate Home: Capt. C. B. Beck.

Pages: Jack Foster, Frank Romines, Harold Beasley, Franklin Townley, John Whatley, Seaburn Stevenson, H. P. Depew, J. B. Cagle, Monroe Powell, Emory Williams, Jeff Reese, Jr., Walter Shroeder, Jessie Wilson, Hill McClanahan, Willie White, Bob Barker, Wilber Johnson, J. I. Lawrence, James Leonard, Roy Nunez.

## PROVIDING FOR FLORAL OFFERING.

Mr. Pope offered the following resolution:

Resolved, That the committee appointed by the House of Representatives to attend the funeral of Hon. Jas. A. Florer is hereby authorized to purchase a suitable floral offering as a token of esteem from the members of this body, and that the cost of same, together with all necessary expenses incurred in attending the funeral by said committee, be paid out of the contingent expense fund of the Fourth Called Session of the Thirty-fifth Legislature.

Signed—Pope, Spradley.

The resolution was read second time and was adopted.

## PROVIDING JOURNALS AND BILLS FOR LIBRARY.

Mr. Sentell offered the following resolution:

Whereas, The State Library is frequently called upon for copies of the Journals and bills of the House; therefore, be it

Resolved, That the Sergeant-at-Arms be instructed to deliver to the State Library each day fifty copies of each day's Journal and twenty-five copies of each bill printed.

The resolution was read second time and was adopted.

## RELATING TO SERGEANT-AT-ARMS' ROOM.

Mr. Sentell offered the following resolution:

Whereas, Difficulty has been experienced by the Sergeant-at-Arms in the keeping of an accurate record of supplies and stamps under the present arrangement in his office; and

Whereas, A complete record of the acquisition and disposition of all supplies has not been kept in the past; therefore, be it

Resolved, That the Sergeant-at-Arms of the House of Representatives be in-

structed and he is hereby directed to purchase and erect in the room of the Sergeant-at-Arms a high fence forming a space or room in which shall be kept all supplies and stamps in his charge; that an opening or window shall be prepared for convenience in filling requisitions; that some one shall be designated by the Sergeant-at-Arms to have charge under the direction of the Sergeant-at-Arms of the room and the issuance of supplies, and that all entrances to said enclosure shall be kept locked at all times except when the Sergeant-at-Arms or some one designated by him is present; that an accurate record shall be kept of all stamps and supplies purchased and coming into possession of the Sergeant-at-Arms and of the issuance and disposition of the same whether upon individual requisition or for the House collectively; that said record shall show the items purchased, the quantity, quality, price, date of purchase, and from whom same was purchased, and that an inventory shall be made by the Sergeant-at-Arms of all supplies and stamps on hand at the beginning of this session, exclusive of new purchases, which inventory shall be entered of record in one of the permanently bound record books kept in the office of the Sergeant-at-Arms, and that the expense of this change be paid out of the contingent expense fund of the House.

The resolution was read second time and was lost.

#### HOUSE BILL NO. 1 ON SECOND READING.

Mr. Mendell moved to suspend the constitutional rule requiring bills to be read on three several days in each house and that House bill No. 1 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98.

Atlee.	Cadenhead.
Beard.	Carlock.
Beasley.	Cates.
Bennette.	Clark.
Bertram.	Cope.
Blackburn.	Cox of Bee.
Blackmon.	Cox of Ellis.
Bledsoe.	Davis of Dallas.
Brown.	Davis of Grimes.
Bryan.	Davis of Harris.
Burton of Rusk.	Davis
Butler.	of Van Zandt.

De Bogory.	Peyton.
Dudley.	Pillow.
Dunnam.	Poage.
Estes.	Raiden.
Fly.	Reeves.
Ford.	Roemer.
Greenwood.	Rogers.
Haidusek.	Sackett.
Hardey.	Sallas.
Hill.	Sentell.
Holaday.	Schlosshan.
Holland.	Seawright.
Johnson of Blanco.	Smith of Bastrop.
Johnson of Ellis.	Smith of Hopkins.
Jones.	Smith of Scurry.
King.	Spencer.
Laas.	Spradley.
Lackey.	Sneed.
Lange.	Stewart.
Lanier.	Stephens.
Lee.	Swope.
Lindemann.	Taylor.
McComb.	Terrell.
McCord.	Thomason
McCoy.	of El Paso.
McDowra.	Thomason
McFarland.	of Nacogdoches.
McMillin.	Thompson
Mathis.	of Hunt.
Mendell.	Tillotson.
Miller of Austin.	Tilson.
Miller of Dallas.	Tinner.
Monday.	Upchurch.
Moore.	Vaughan.
Morris.	Veatch.
Murrell.	Wahrmund.
Neill.	White.
Nordhaus.	Williford.
O'Banion.	Woods.
Osborne.	Yantis.

Nays—1.

Denton.

Present—Not Voting.

Bass.

Absent.

Bagby.	Richards.
Bell.	Schlesinger.
Bland.	Sholars.
Burton of Tarrant.	Strayhorn.
Canales.	Valentine.
Fairchild.	Williams
Lacey.	of Brazoria.
Metcalfe.	Williams
Pope.	of McLennan.

Absent—Excused.

Baker.	Laney.
Beason.	Lowe.
Bedell.	Meador.
Crudgington.	O'Brien.
Dodd.	Parks.
Harris.	Robertson.
Hudspeth.	Templeton.



Thomas.  
Thompson  
of Red River.

Traylor.  
Walker.  
Wilson.

(Mr. Mendell in the chair.)

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1, A bill to be entitled "An Act appropriating \$60,000 to pay mileage and per diem of members and salaries of officers and employes of the Fourth Called Session of the Thirty-fifth Legislature, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 1 ON THIRD READING.

The Speaker then laid House bill No. 1 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—103.

Atlee.	Hudspeth.
Bass.	Johnson of Blanco.
Beard.	Johnson of Ellis.
Beasley.	Jones.
Bennette.	King.
Berram.	Laas.
Blackburn.	Lackey.
Blackmon.	Lange.
Bledsoe.	Lanier.
Brown.	Lee.
Bryan.	Lindemann.
Burton of Rusk.	Lowe.
Butler.	McComb.
Cadenhead.	McCord.
Carlock.	McCoy.
Cates.	McDowra.
Clark.	McFarland.
Cope.	McMillin.
Cox of Bee.	Mathis.
Cox of Ellis.	Mendell.
Davis of Dallas.	Miller of Austin.
Davis of Harris.	Miller of Dallas.
Davis	Monday.
of Van Zandt.	Moore.
De Bogory.	Morris.
Denton.	Murrell.
Dudley.	Neill.
Dunnam.	Nordhaus.
Estes.	O'Banion.
Fly.	Osborne.
Ford.	Peyton.
Greenwood.	Pillow.
Haidusek.	Poage.
Hardey.	Pope.
Holland.	Raiden.
Holaday.	Reeves.

Roemer.	Terrell.
Rogers.	Thomason
Sackett.	of El Paso.
Sallas.	Thomason
Sentell.	of Nacogdoches.
Schlesinger.	Thompson
Schlosshan.	of Hunt.
Seawright.	Tillotson.
Smith of Bastrop.	Tilson.
Smith of Hopkins.	Tinner.
Smith of Scurry.	Upchurch.
Spencer.	Vaughan.
Spradley.	Veatch.
Sneed.	Wahrmund.
Stewart.	White.
Stephens.	Williford.
Swope.	Woods.
Taylor.	Yantis.

Absent.

Bagby.	Metcalfe.
Bell.	Richards.
Bland.	Sholars.
Burton of Tarrant.	Strayhorn.
Canales.	Traylor.
Davis of Grimes.	Valentine.
Fairchild.	Williams
Harris.	of Brazoria.
Hill.	Williams
Lacey.	of McLennan.

Absent—Excused.

Baker.	Parks.
Beason.	Robertson.
Bedell.	Templeton.
Crudgington.	Thomas.
Dodd.	Thompson
Laney.	of Red River.
Meador.	Walker.
O'Brien.	Wilson.

#### HOUSE BILL NO. 2 ON SECOND READING.

Mr. Peyton moved to suspend the constitutional rule requiring bills to be read on three several days in each house and that House bill No. 2 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95.

Atlee.	Cadenhead.
Bass.	Carlock.
Beard.	Cates.
Beasley.	Cope.
Bertram.	Cox of Bee.
Blackburn.	Cox of Ellis.
Blackmon.	Davis of Dallas.
Brown.	Davis of Harris.
Bryan.	Davis
Burton of Rusk.	of Van Zandt.
Butler.	De Bogory.

Denton.	Pope.
Dudley.	Raiden.
Dunnam.	Reeves.
Estes.	Roemer.
Fly.	Rogers.
Ford.	Sackett.
Greenwood.	Sallas.
Haidusek.	Sentell.
Hardey.	Schlesinger.
Holaday.	Schlosshan.
Holland.	Seawright.
Johnson of Blanco.	Smith of Bastrop.
Jones.	Smith of Hopkins.
Laas.	Smith of Scurry.
Lackey.	Spencer.
Lange.	Spradley.
Lanier.	Sneed.
Lee.	Stewart.
Lindemann.	Stephens.
McComb.	Swope.
McCord.	Taylor.
McCoy.	Terrell.
McFarland.	Thomason
McMillin.	of El Paso.
Mathis.	Thomason
Mendell.	of Nacogdoches.
Miller of Austin.	Thompson
Miller of Dallas.	of Hunt.
Monday.	Tinner.
Moore.	Upchurch.
Morris.	Valentine.
Murrell.	Vaughan.
Neill.	Veatch.
Nordhaus.	Wahrmund.
O'Banion.	White.
Osborne.	Williford.
Peyton.	Woods.
Pillow.	Yantis.
Poage.	

## Absent.

Bagby.	Lacey.
Bell.	Lowe.
Bennette.	McDowra.
Bland.	Metcalfe.
Bledsoe.	Richards.
Burton of Tarrant.	Sholars.
Canales.	Strayhorn.
Clark.	Tillotson.
Davis of Grimes.	Tilson.
Fairchild.	Traylor.
Harris.	Williams
Hill.	of Brazoria.
Johnson of Ellis.	Williams
King.	of McLennan.

## Absent—Excused.

Baker.	Parks.
Beason.	Robertson.
Bedell.	Templeton.
Crudgington.	Thomas.
Dodd.	Thompson
Hudspeth.	of Red River.
Laney.	Walker.
Mendor.	Wilson.
O'Brien.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 2, A bill to be entitled "An act appropriating \$16,000 for contingent expenses of the Fourth Called Session of the Thirty-fifth Legislature, and declaring an emergency."

The bill was read second time and was passed to engrossment.

## HOUSE BILL NO. 2 ON THIRD READING.

The Speaker then laid House bill No. 2 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—97.

Atlee.	Lindemann.
Bass.	McComb.
Beard.	McCord.
Beasley.	McCoy.
Bennette.	McFarland.
Bertram.	McMillin.
Blackburn.	Mathis.
Blackmon.	Mendell.
Bledsoe.	Metcalfe.
Brown.	Miller of Austin.
Bryan.	Miller of Dallas.
Burton of Rusk.	Monday.
Butler.	Morris.
Cadenhead.	Murrell.
Carlock.	Neill.
Cates.	O'Banion.
Clark.	Osborne.
Cope.	Peyton.
Cox of Bee.	Pillow.
Cox of Ellis.	Poage.
Davis of Dallas.	Pope.
Davis of Harris.	Raiden.
Davis	Reeves.
of Van Zandt.	Roemer.
De Bogory.	Rogers.
Denton.	Sackett.
Dodd.	Sallas.
Dudley.	Sentell.
Dunnam.	Schlesinger.
Estes.	Schlosshan.
Fly.	Seawright.
Greenwood.	Smith of Bastrop.
Haidusek.	Smith of Hopkins.
Hardey.	Smith of Scurry.
Holaday.	Spencer.
Johnson of Blanco.	Spradley.
Jones.	Sneed.
King.	Stewart.
Laas.	Stephens.
Lackey.	Swope.
Lange.	Taylor.
Lanier.	Terrell.
Lee.	

Thomason of El Paso.	Upchurch.
Thomason of Nacogdoches.	Vaughan.
Thompson of Hunt.	Veatch.
Tilson.	Wahrmund.
Tinner.	White.
	Williford.
	Woods.
	Yantis.

Absent.

Bagby.	McDowra.
Bell.	Moore.
Bland.	Nordhaus.
Burton of Tarrant.	Richards.
Canales.	Sholars.
Davis of Grimes.	Tillotson.
Fairchild.	Traylor.
Harris.	Valentine.
Hill.	Williams
Holland.	of Brazoria.
Johnson of Ellis.	Williams
Lacey.	of McLennan.

Absent—Excused.

Baker.	Parks.
Beason.	Robertson.
Bedell.	Strayhorn.
Crudgington.	Templeton.
Ford.	Thomas.
Hudspeth.	Thompson
Laney.	of Red River.
Lowe.	Walker.
Meador.	Wilson.
O'Brien.	

## ADOPTING JOINT RULES.

The Speaker laid before the House for consideration at this time, the following resolution:

S. C. R. No. 1, Adopting Joint Rules.

Resolved, That the Joint Rules of the Third Called Session of the Thirty-fifth Legislature be adopted as the Joint Rules of the Fourth Called Session of the Thirty-fifth Legislature.

The resolution was read second time and was adopted.

## INVITING HON. J. W. BAILEY TO ADDRESS THE HOUSE.

Mr. Dunnam offered the following resolution:

Whereas, The United States Congress has submitted to the several States for ratification by their respective Legislatures an amendment to the Federal Constitution, authorizing the Federal government to prohibit the sale and manufacture of intoxicating liquor within any of said States; and

Whereas, The effect of said resolution necessarily involves the question of States rights and is claimed by some

to divert a portion of the police power from the States and invest same in the Federal government; and,

Whereas, It is earnestly stated by eminent Democrats throughout the Nation that this resolution not only invades, but destroys sacred rights of the States; and,

Whereas, The rights of the States to manage their own internal affairs has been the most zealously maintained and cherished doctrine of the Democratic party throughout the Nation, and especially in the South; and,

Whereas, The Honorable Joseph Weldon Bailey has long been recognized as one of the great champions of Democracy in the defense of the rights of the States; and,

Whereas, By his pure patriotism, pre-eminent ability and great learning, he is entitled to be heard upon any great question that so vitally affects the destiny of this Government; therefore be it

Resolved, By the House of Representatives of the State of Texas, That the Honorable Joseph Weldon Bailey be invited to address this House at the earliest date possible for him to do so upon said resolution; be it further

Resolved, That the Chief Clerk of the House is hereby directed to wire the substance of this resolution to Senator Bailey urging him to accept the invitation hereby extended.

The resolution was read second time.

Mr. O'Banion offered the following amendment to the resolution:

Amend the resolution by adding after the words "Hon. Joseph Weldon Bailey," wherever they occur, the following: "And Hon. Morris Sheppard."

Question—Shall the amendment be adopted?

Mr. Raiden moved to refer the resolution and the amendment to the Committee on Liquor Traffic.

Yeas and nays were demanded and the motion to refer prevailed by the following vote:

Yeas—53.

Atlee.	Davis
Beard.	of Van Zandt.
Blackmon.	De Bogory.
Bryan.	Estes.
Burton of Rusk.	Fly.
Butler.	Ford.
Cadenhead.	Holaday.
Carlock.	Jones.
Cope.	Lee.
Cox of Bee.	McComb.
Davis of Dallas.	McCord.
Davis of Harris.	McCoy.

McMillin.	Smith of Scurry.
Mendell.	Spencer.
Murrell.	Stewart.
Neill.	Stephens.
O'Banion.	Terrell.
Osborne.	Thomason
Poage.	of Nacogdoches.
Raiden.	Thompson
Reeves.	of Hunt.
Roemer.	Tilson.
Rogers.	Tinner.
Sackett.	Vaughan.
Sentell.	Veatch.
Seawright.	Williford.
Smith of Bastrop.	Woods.
Smith of Hopkins.	Yantis.

## Nays—42.

Bass.	McFarland.
Beasley.	Mathis.
Bell.	Miller of Austin.
Bertram.	Miller of Dallas.
Blackburn.	Monday.
Brown.	Moore.
Cates.	Morris.
Clark.	Nordhaus.
Denton.	Peyton.
Dudley.	Pope.
Dunnam.	Sallas.
Fairchild.	Schlesinger.
Greenwood.	Schlosshan.
Haidusek.	Spradley.
Hardey.	Sneed.
Holland.	Swcpe.
King.	Taylor.
Laas.	Tillotson.
Lackey.	Upchurch.
Lange.	Wahrmund.
Lanier.	White.
Lindemann.	

## Present—Not Voting.

Cox of Ellis.

## Absent.

Bagby.	Metcalf.
Bennette.	Pillow.
Bland.	Richards.
Bledsoe.	Sholars.
Burton of Tarrant.	Strayhorn.
Canales.	Thomason
Davis of Grimes.	of El Paso.
Harris.	Traylor.
Hill.	Valentine.
Johnson of Blanco.	Williams
Johnson of Ellis.	of Brazoria.
Lacey.	Williams
McDowra.	of McLennan.

## Absent—Excused.

Baker.	Dodd.
Beason.	Ludspeth.
Bedell.	Laney.
Crudgington.	Lowe.

Meador.	Thomas.
O'Brien.	Thompson
Parks.	of Red River.
Robertson.	Walker.
Templeton.	Wilson.

(Speaker in the chair.)

## RELATING TO PRINTING HOUSE JOURNAL.

Mr. Smith of Bastrop offered the following resolution:

Whereas, There have heretofore been more House Journals printed than were actually needed, thereby causing a useless expenditure of money, therefore be it

Resolved, That each member as early as possible file with the Chief Clerk the number of copies he desires placed on his desk each day and that only enough be printed to supply the members plus 100 copies to be delivered to the Senate, three copies to be delivered to the head of each department in the Capitol building and 100 copies to be left with the Sergeant-at-Arms for distribution under direction of the Speaker.

The resolution was read second time and was lost.

## COMMITTEE ASSIGNMENTS FOR NEW MEMBERS.

The Speaker announced the following committee assignments for new members:

Franklin P. Davis: Constitutional Amendments, Judicial Districts, Private Corporations, Internal Improvements, Municipal Corporations, Criminal Jurisprudence.

F. J. McCord: Public Debt, Internal Improvements, Juvenile Reforms, Criminal Jurisprudence.

A. H. King: Rules, Education, Private Corporations, Insurance, Reforms in Civil Procedure, Judiciary (Chairman).

Sam C. Lackey: Judiciary, Military Affairs, Public Health, Private Corporations.

C. R. Stephens: Revenue and Taxation, State Affairs (V. C.), Education, Examination of Comptroller and Treasury Accounts (Chairman), Commerce and Manufactures, Senatorial Districts.

John M. Mathis: Appropriations, Private Corporations (Chairman), Banks and Banking, Liquor Traffic, Senatorial Districts.

Sam E. Johnson: Appropriations, Common Carriers, Liquor Traffic.

Howard Bennette: Penitentiaries, State Asylums (Chairman), Reforms in Criminal Procedure.



John C. Rogers: Revenue and Taxation, Constitutional Amendments, Congressional Districts (Chairman).

J. H. Sneed: Public Lands and Land Office, Enrolled Bills, Liquor Traffic, Reforms in Civil Procedure, Reforms in Criminal Procedure.

Thos. M. Cox: Public Printing, Privileges, Suffrage and Elections, Engrossed Bills, Insurance, Liquor Traffic.

Jno. J. Ford: Education, Liquor Traffic, Reforms in Civil Procedure.

E. A. Atlee: Criminal Jurisprudence, State Affairs, Military Affairs, Federal Relations, Irrigation.

C. T. Bass: Revenue and Taxation, Education, Examination of Comptroller and Treasurer's Accounts, Agriculture, Forestry.

B. F. Vaughan: Revenue and Taxation, Military Affairs, Commerce and Manufactures, Supreme Judicial Districts, Reforms in Criminal Procedure, Municipal Corporations.

#### ADJOURNMENT.

On motion of Mr. Nordhaus, the House, at 4:10 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

#### APPENDIX.

#### REPORTS OF COMMITTEE ON APPROPRIATIONS.

Committee Room,  
Austin, Texas, February 26, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Appropriations, to whom was referred House Bill No. 1, have had same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

PEYTON, Chairman.

Committee Room,  
Austin, Texas, February 26, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Appropriations, to whom was referred House Bill No. 2, have had same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

PEYTON, Chairman.

**In Memory**  
**of**  
**Hon. R. S. Neblett**

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Mr. Woods offered the following resolution:

Whereas, Hon. R. S. Neblett of Navarro county, Texas, who ably represented Navarro county, Texas, in the House of Representatives of the Thirtieth Legislature of Texas, departed this life on January 18, 1918; and by his untimely death the State has lost a distinguished son, an honorable and useful citizen, a lawyer of splendid ability, great attainments, wide experience, and valuable service, and his fellow citizens of Corsicana have lost an enterprising member of the community, devoted to the growth and welfare of his city, county and State and of kind and generous impulses; and his family have lost a devoted husband and father; therefore, be it

Resolved, That we offer to his surviving wife, his daughters and son our most tender and sincere sympathy in their great loss; that a copy of this resolution, properly attested, be forwarded to his widow; that a page of the House Journal be set aside and dedicated to his memory, and that when the House adjourns today it do so in honor of this deceased patriotic citizen and brother.

WOODS,  
UPCHURCH,  
MILLER of Dallas,  
SPRADLEY,  
YANTIS,  
MENDELL,  
CARLOCK,  
TERRELL,  
SCHLOSSHAN,  
FLY,  
WILLIFORD,  
THOMPSON of Hunt,  
McCORD.

The resolution was read second time.

Mr. Woods moved that the resolution be adopted by rising vote.

The motion prevailed and the resolution was adopted unanimously.

**In Memory**  
**of**  
**Hon. James A. Florer.**

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Mr. Davis of Dallas offered the following resolution:

Whereas, The House has just learned with deep sorrow of the untimely death of Hon. James A. Florer, Representative of the Forty-seventh District, including the counties of Dallas and Kaufman; and

Whereas, The State has lost a loyal and useful citizen, who not only rendered honorable service to his State, but who was active and useful to the city and county in which he lived; and

Whereas, In his deplorable death his family has sustained the loss of a kind, loving and indulgent husband and father; therefore, be it

Resolved, That we tender to his family our most sincere sympathy, and as evidence thereof that a copy of this resolution, properly attested, be forwarded to his beloved wife; that a page of the House Journal be set apart and dedicated to his memory, and that when the House adjourns today it do so out of respect to his memory; and be it further

Resolved, That the Speaker of the House be and is hereby authorized to appoint a committee of five members from among the membership of the House as a committee to attend his funeral.

DAVIS of Dallas,  
OSBORNE,  
MILLER of Dallas,  
FLY,  
LEE,  
NORDHAUS.

The resolution was read second time.

Mr. Davis of Dallas moved that the resolution be adopted by a rising vote.

The motion prevailed and the resolution was adopted unanimously.

In accordance with above action, the Speaker announced the appointment of the following committee:

Mr. Davis of Dallas, Mr. Parks, Mr. Osborne, Mr. Raiden and Mr. Spencer.